

Translation

PATENT COOPERATION TREATY

PCT/FR2003/003208



# PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference INRIA Cas 58	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FR2003/003208	International filing date (day/month/year) 28 octobre 2003 (28.10.2003)	Priority date (day/month/year) 30 octobre 2002 (30.10.2002)
International Patent Classification (IPC) or national classification and IPC H04N 7/26		
Applicant INRIA INSTITUT NATIONAL DE RECHERCHE EN INFORMATIQUE ET EN AUTOMATIQUE		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.  <input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  These annexes consist of a total of _____ sheets.
3. This report contains indications relating to the following items:  I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 28 mai 2004 (28.05.2004)	Date of completion of this report 22 April 2005 (22.04.2005)
Name and mailing address of the IPEA/EP  Facsimile No.	Authorized officer  Telephone No.

Form PCT/IPEA/409 (cover sheet) (July 1998)

BEST AVAILABLE COPY

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FR2003/003208

## I. Basis of the report

### 1. With regard to the elements of the international application:\*

☐ the international application as originally filed

☒ the description:

pages \_\_\_\_\_ 1-22 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

☒ the claims:

pages \_\_\_\_\_ 1-24 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, as amended (together with any statement under Article 19  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

☒ the drawings:

pages \_\_\_\_\_ 1/4-4/4 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

☐ the sequence listing part of the description:

pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

### 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

☐ the language of publication of the international application (under Rule 48.3(b)).

☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

### 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

### 4. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages \_\_\_\_\_

☐ the claims, Nos. \_\_\_\_\_

☐ the drawings, sheets/fig \_\_\_\_\_

### 5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FR 03/03208

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	1-24	YES
	Claims		NO
Inventive step (IS)	Claims	1-24	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-24	YES
	Claims		NO

## 2. Citations and explanations

Reference is made to the following document:

D1: EP-A-1 043 687 (CANON KK) 11 October 2000  
(2000-10-11)

D1, which is considered to represent the most relevant prior art, discloses (see D1, paragraphs 271 to 279 and 325 to 373) a device for marking and restoring digital signals, wherein the marking information is modulated as a function of an invisibility criterion, from which the subject matter of claim 1 differs in that:

- the marking information is calculated as a function of the response of the transformed original signal (rx) to the demodulation of a first set of carriers (Gj) defined by message protection keys and code words associated with the marking message;
- the modulator uses this marking information to determine a marking coefficient.

Therefore the subject matter of claim 1 is novel (PCT Article 33(2)).

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International Application No.  
PCT/FR 03/03208

The problem addressed by the present invention can thus be considered that of reducing imperfections which are due to interference between the host signal and the carriers used to modulate the message.

The solution to this problem proposed in claim 1 of the present application is considered to involve an inventive step (PCT Article 33(3)) since the solution proposed in the application is not mentioned in the prior art.

Claims 2 to 24 are dependent on claim 1 and hence likewise meet the PCT novelty and inventive step requirements.

BEST AVAILABLE COPY